
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

STEPHEN EDMISON,

Plaintiff,

v.

BIOMET ORTHOPEDICS, LLC,

Defendant.

**MEMORANDUM DECISION AND
ORDER DISMISSING PLAINTIFF'S
CASE**

Case No. 1:13-cv-27-DN-PMW

District Judge David Nuffer

Magistrate Judge Paul M. Warner

On October 15, 2013, counsel for Plaintiff Stephen Edmison ("Edmison") withdrew from representing Edmison.¹ Edmison was ordered to appear or appoint new counsel within twenty-one (21) days of the date of the order.² Edmison responded on November 1, 2013 by filing a motion for a 180-day extension to obtain new legal counsel,³ which was denied on January 8, 2014.⁴

After January 8, 2014, there were no filings until entry of an Order to Show Cause on May 20, 2014.⁵ Edmison was ordered to "respond to the court in writing no later than June 6, 2014 to inform the court of the status of this case and his intentions to proceed."⁶ Edmison was

¹ Order Granting Motion to Withdraw as Counsel of Record, [docket no. 19](#), entered Oct. 15, 2013.

² *See id.*

³ Motion to Request 180 day Extension to Obtain New Legal Counsel and Assemble Records and Evidence, [docket no. 21](#).

⁴ Order, [docket no. 24](#).

⁵ [Docket no. 26](#).

⁶ *See id.*

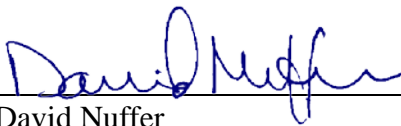
warned that failure to respond would result in a recommendation that Edmison's case be dismissed.⁷ Edmison responded on June 5, 2014.⁸ Edmison explained that he had diligently tried to secure legal representation, but had been unable to do so and had "no choice but to drop [his] claim against BioMet [Orthopedics], LLC."⁹

Based upon Edmison's failure to prosecute this case, and upon his assertion that he is no longer pursuing this case against BioMet Orthopedics, LLC,

IT IS HEREBY ORDERED that this case is **DISMISSED**. The Clerk shall close the case.

DATED June 13, 2014.

BY THE COURT:



David Nuffer
United States District Judge

⁷ *See id.*

⁸ Edmison's June 2, 2014 Letter, [docket no. 27](#), filed June 5, 2014.

⁹ *Id.*